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Attorneys for Secured Creditor
BAYVIEW LOAN SERVICING, LLC, servicing agent
for The Bank of New York Mellon fka The Bank of
New York As Trustee for the Certificateholders CWMBS, Inc.
CHL, Mortgage Pass-Through Trust 2005-HYB 10 Mortgage
Pass-Through Certificates, Series 2005-HYB 10

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

In re	) Bk. No. 2:14-bk-10349-ER
)
JACQUELINE DESIREE LANDAETA	) Chapter 11
ALVAREZ,)
	) DECLARATION OF EDWARD G.
Debtor.	) SCHLOSS IN SUPPORT OF
	) OPPOSITION TO DEBTOR'S MOTION
	) FOR ORDER DETERMINING VALUE
	) OF COLLATERAL [11 U.S.C. §506(a),
	) FRBP 3012]
)
	) Hearing-
	) Date: December 10, 2014
	) Time: 10:00 a.m.
	) Place: United States Bankruptcy Court
	) 255 E. Temple Street, 15 th Floor
	) Courtroom 1568
	) Los Angeles, CA 90012
)
	) Honorable Ernest M. Robles

I, EDWARD G. SCHLOSS, declare and state as follows:

1. I am an attorney at law, licensed to practice before all of the Courts of the
State of California. The following facts to which I hereby declare are of my own

1 personal knowledge, and if called to testify as to the truth and veracity thereof, I could,
2 and would, testify competently thereto.

3 2. I am the attorney of record for BAYVIEW LOAN SERVICING, servicing
4 agent for The Bank of New York Mellon fka The Bank of New York As Trustee for the
5 Certificateholders CWMBS, Inc. CHL, Mortgage Pass-Through Trust 2005-HYB 10
6 Mortgage Pass-Through Certificates, Series 2005-HYB 10 ("Secured Creditor" herein),
7 the holder of the first deed of trust secured by the subject real property located at **10580**
8 **Horse Creek Avenue, Shadow Hills, CA 91040** ("subject property" herein).
9

10 3. On November 13, 2014, Debtor filed his Motion for Order Determining Value
11 of Collateral [11 U.S.C. §506(a), FRBP 3012] as docket item no. 22 ("Motion to Value").
12 The Motion to Value attempts to value the subject property at *only* **\$600,000.00** based on
13 an appraisal obtained by the Debtor. The hearing on the Motion to Value is scheduled for
14 December 10, 2014.
15

16 4. Following the filing of the Motion to Value on November 13, 2014, Secured
17 Creditor attempted to arrange for an *exterior* and *interior* appraisal of the subject
18 property, because it did not want to present this Court with an *exterior* only appraisal. My
19 associate, Lior Katz, contacted Debtor's counsel's office by email on November 14, 2014
20 to inquire as to who could allow access to the property to Secured Creditor's appraisal
21 (**Exhibit "1"**). The same day, on November 14, 2014, Debtor's counsel, Roksana Moradi
22 informed Mr. Katz that she should be contacted to arrange for an appraisal of the subject
23 property (**Exhibit "2"**).
24

25 5. I was informed by Secured Creditor that on November 21, 2014, Secured
26 Creditor's agent attempted to reach Debtor's counsel, Roksana Moradi, but was

1 unsuccessful in doing so. Secured Creditor's agent left a message for Ms. Moradi to set
2 up the *exterior* and *interior* appraisal of the subject property.

3 6. On November 25, 2014, Mr. Katz sent an email (**Exhibit "3"**) to Ms. Moradi
4 indicating to Ms. Moradi that Secured Creditor's appraiser has been unable to arrange for
5 an appraisal of the subject property. A couple of hours later, Ms. Moradi sent an email
6 (**Exhibit "4"**) to Mr. Katz, indicating that she had been contacted by two (2) different
7 appraisers from Bayview, but that the "newer" appraiser will be conducting the appraisal.
8 Ms. Moradi also indicated that she has provided the appraiser's name to the Debtor, and
9 that she will follow up with the Debtor. To date, I am informed that Secured Creditor's
10 appraiser has been unable to arrange for an *exterior* and *interior* appraisal of the subject
11 property.
12

13
14 7. My experiences in working with Debtor's counsel have been cordial and
15 professional. My client needs some accommodation from their client so that an *interior*
16 inspection can be arranged for a new appraisal. This is a reasonable request and one that
17 the Debtor should honor.

18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct.
20

21 Executed this 26th day of November 2014 at Los Angeles, CA.

22
23 /s/ Edward G. Schloss
24 EDWARD G. SCHLOSS

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